

HIGH COURT OF CHHATTISGARH, BILASPUR

- State of Chhattisgarh Through Its Station House Officer, Police Station Jaijaipur, District - Janjgir-Champa Chhattisgarh.

Versus

- Fulsai S/o Budhram Kenwat Aged About 22 Years R/o Village Sonaideeh, Police Station Bamhanideeh, District - Janjgir-Champa Chhattisgarh.

---- Respondent

For Applicant-State :- Shri Santosh Bharat, PL

Hon'ble Shri Prashant Kumar Mishra

Hon'ble Shri Gautam Chourdiya, JJ.

Order on Board

By

Prashant Kumar Mishra, J

15/07/2019

I.A. No.1 of 2019

1. This is an application for condonation of delay in filing the application seeking leave to appeal.
2. On due consideration, application is allowed and delay of 43 days in filing the application is condoned.
3. Accordingly, I.A. stands allowed.

4. The applicant has moved this application seeking leave to appeal against the judgment of acquittal rendered by the Court of Special Judge (POCSO Act), Sakti, District Janjgir Champa, Chhattisgarh. The Court has acquitted the accused of the charges under Sections 363 and 366 of IPC and Section 6 of Protection of Children from Sexual Offences (POCSO) Act, 2012.
5. Although, the prosecutrix was less than 18 years of age on the date of incident, she has not supported the prosecution when she was examined in Court and she has completely denied the incident.
6. In view of the statement made by the prosecutrix, no case for granting leave to appeal is made out. Accordingly, Cr.M.P. is dismissed.

Sd/-
(Prashant Kumar Mishra)
Judge

Sd/-
(Gautam Chourdiya)
Judge

Ankit